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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------------------|-----------------------------|
| 10/798,693 | 03/11/2004 | Eddie N. Stanton | CLPS-18789 | 6180 |
| 1224 7590 03/17/2011 BOOTH ALBANESI SCHROEDER LLC 1601 ELM STREET SUITE 1950 DALLAS, TX 75201-4744 | | | EXAMINER LEE, GILBERT Y | |
| | | | ART UNIT 3676 | PAPER NUMBER |
| | | | NOTIFICATION DATE 03/17/2011 | DELIVERY MODE ELECTRONIC |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

firm@ipoftexas.com
csleeper@ipoftexas.com

Office Action Summary

Application No.

10/798,693

Applicant(s)

STANTON ET AL.

Examiner

GILBERT Y. LEE

Art Unit

3676

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 January 2011.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-13, 15-17, 65, 66, 76, 78-82, 130, 132 and 134-139 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-13, 15-17, 65, 66, 76, 78-82, 130, 132 and 134-139 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-692)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB-08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/21/11 has been entered.

Specification

2. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 3-13, 15-17, 65, 66, 76, 78-82, 130, 132, and 134-139 are rejected under 35 U.S.C. 102(b) as being anticipated by Bassinger et al. (US Patent No. 6,167,959).

Regarding claim 1, the Bassinger et al. (hereinafter "Bassinger") reference discloses a plunger pump (Fig. 1) comprising: a packing bore (Fig. 1) for a reciprocating

plunger (12), wherein the packing bore has a cylindrical interior wall (16) and a seat (Fig. 1) and a removable gland (84), and; a packing cartridge (Fig. 1, e.g. elements between 84 and 14), wherein the packing cartridge comprises: a generally cylindrical sleeve (including the elements 18 and 40); a first abutment ring (52); a second abutment ring (20); telescoping structures (Fig. 1); and a retaining ring (36). Note that the telescoping structures 18 and 40 are capable of telescoping and allowing for squeezing of the first abutment ring and the second abutment ring co-axially closer to one another.

Regarding claims 3 and 76, the Bassinger reference discloses the telescoping structures having overlapping travel (Fig. 1). Note that the packing could be crushed if element 40 is over tightened.

Regarding claims 4 and 136, the Bassinger reference discloses a spring (47) between the first abutment ring (52) and the second abutment ring (20).

Regarding claims 5 and 78, the Bassinger reference discloses the telescoping structures/first and second sleeve portions having overlapping travel (Fig. 1).

Regarding claims 6 and 138, the Bassinger reference discloses a first sleeve portion (40) and a second sleeve portion (18), and wherein the telescoping structures are a part of the first and second sleeve portions (Fig. 1).

Regarding claim 7, the Bassinger reference discloses the first sleeve portion is positioned in at least a portion of the packing bore (Fig. 1) and the second sleeve portion having a portion telescopically positioned in at least a portion of the first sleeve (Fig. 1).

Regarding claim 8, the Bassinger reference discloses the first abutment ring (52) being connected to the first sleeve portion (40) and the second abutment ring (20) being connected to the second sleeve portion (18).

Regarding claims 9, 12, and 82, the Bassinger reference discloses the first abutment ring (52) being integrally formed to the first sleeve portion (40) and the second abutment ring (20) being integrally formed to the second sleeve portion (18).

Regarding claims 10, 66, and 139, the Bassinger reference discloses a spacer (68) which covers the overlapping travel of the telescoping structures (Fig. 1) wherein the spacer ring is positioned to help prevent seepage of fluid into any clearances between the first sleeve portion and the second sleeve portion (Fig. 1).

Regarding claim 11, the Bassinger reference discloses the telescoping structures (Fig. 1). Note that the telescoping structures 18 and 40 are capable of telescoping.

Regarding claims 13 and 130, the Bassinger reference discloses the retaining ring (36) comprising a resilient ring (Fig. 1) **adapted to** be positioned in a groove (e.g. groove holding 36).

Regarding claims 15 and 79, the Bassinger reference discloses packing (78) between the first and second abutment rings (Fig. 1).

Regarding claims 16 and 80, the Bassinger reference discloses the packing further comprising a plurality packing elements (e.g. upper and bottom two elements 80 in Fig. 1).

Regarding claims 17 and 81, the Bassinger discloses a packing spacer (e.g. middle element 80) positioned between the plurality of packing elements (Fig. 3).

Regarding claim 65, the Bassinger reference discloses a plunger pump (Fig. 1) comprising: a packing bore (Fig. 1) for a reciprocating plunger (12), wherein the packing bore has a cylindrical interior wall (16) and a seat (Fig. 1) and a removable gland (84), and; a packing cartridge (Fig. 1, e.g. elements between 84 and 14), wherein the packing cartridge comprises: a first element (40) comprising: a first sleeve portion (Fig. 1); and a first abutment ring (52); and a second element (18) comprising: a second sleeve portion (Fig. 1); and a second abutment ring (20); and a means for axially retaining the first and second sleeve portions together (36); wherein the first sleeve portion and the second sleeve portion and the means for axially retaining are operatively positioned between the first abutment ring and the second abutment ring to allow for squeezing of the first abutment ring and second abutment ring co-axially closer to one another. Note that element 40 can be tightened.

Regarding claim 132, the Bassinger reference discloses the telescoping structure/means for telescoping and the retaining ring/means for axially retaining being **capable of** allowing a packing (78) to be held in a pre-assembled but relaxed condition.

Regarding claim 134, the Bassinger reference discloses a means for axially retaining the first and second sleeve portions together (e.g. threads); wherein the first and second sleeve portions and the means for axially retaining are **capable of** allowing a packing (78) to be held in a pre-assembled but relaxed condition.

Regarding claim 135, the Bassinger reference discloses a plunger pump (Fig. 1) comprising: a packing bore (Fig. 1) for a reciprocating plunger (12), wherein the packing bore has a cylindrical interior wall (16) and a seat (Fig. 1) and a removable gland (84),

and; a packing cartridge (Fig. 1, e.g. elements between 84 and 14) comprising: a generally cylindrical sleeve (including elements 18 and 40); a first abutment ring (52); a second abutment ring (20); packing (e.g. 78) positioned between the first abutment ring and the second abutment ring (Fig. 1); telescoping structures (Fig. 1); and a retaining ring (36); wherein the telescoping structures and the retaining ring are capable of allowing the packing to be held in a pres-assembled but relaxed condition. Note that the telescoping structures 18 and 40 are capable of telescoping and allowing for squeezing of the first abutment ring and the second abutment ring co-axially closer to one another.

Regarding claim 137, the Bassinger reference discloses the telescoping structures having at least sufficient overlapping travel to help maintain the first abutment ring and the second abutment ring in substantial co-axial alignment (Fig. 1) while the spring is anywhere between a substantially relaxed condition and a substantially compressed condition (Fig. 1).

Response to Arguments

4. Applicant's arguments with respect to claims 1,3-13,15-17,65,66,76,78-82,130,132 and 134-139 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to GILBERT Y. LEE whose telephone number is (571)272-5894. The examiner can normally be reached on 8:00 - 4:30, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shane Bomar can be reached on 571-272-7026. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/GILBERT Y LEE/
Examiner, Art Unit 3676